

Docket Item # 3

SPECIAL USE PERMIT #2002-0089

Planning Commission Meeting

November 7, 2002

ISSUE: Consideration of a request for a special use permit for a reduction of off-street parking for a restaurant.

APPLICANT: URS Corporation
by Jason Baer

LOCATION: 701 South Washington Street
Chicken Out Restaurant site

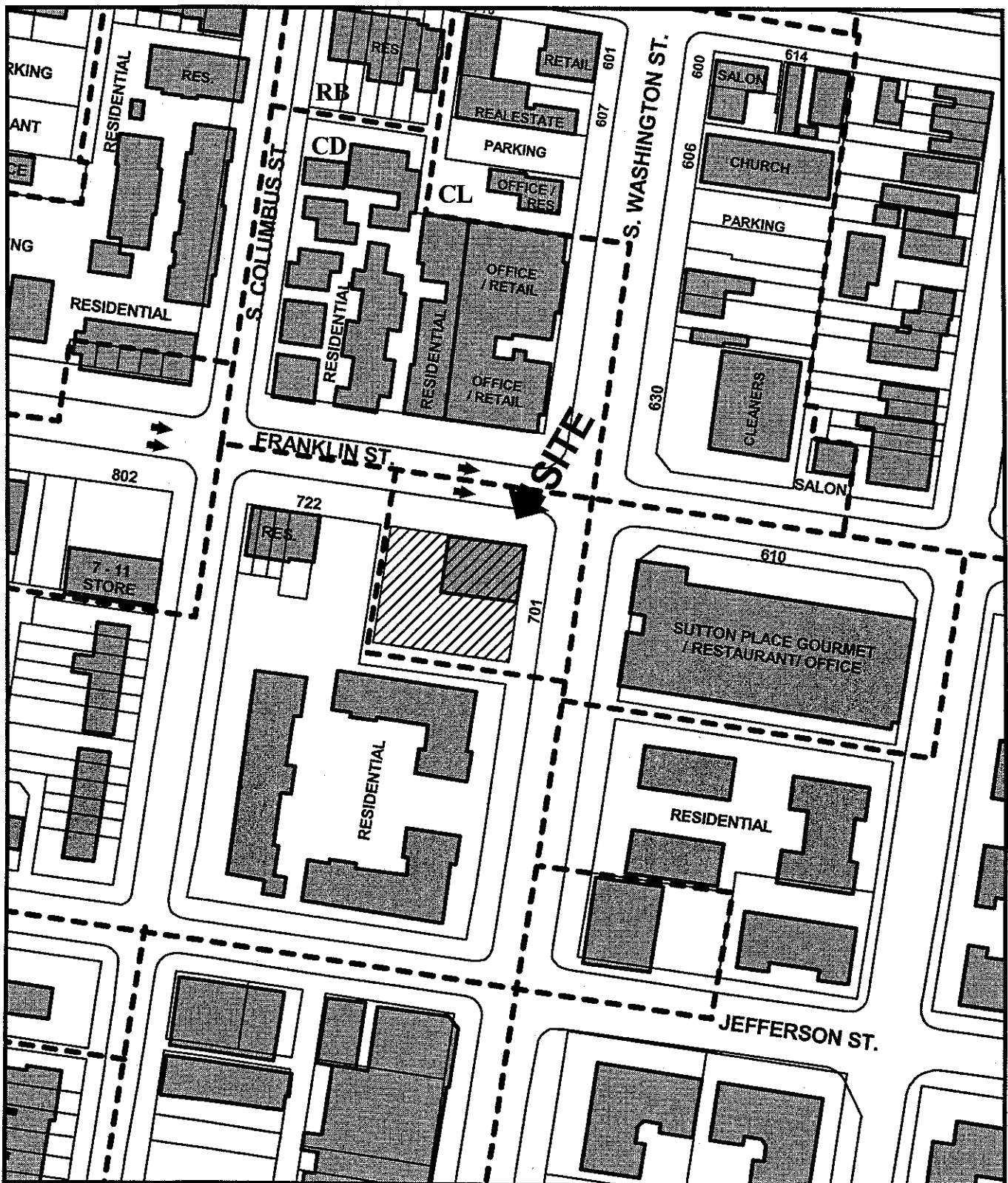
ZONE: CL/Commercial Low

PLANNING COMMISSION ACTION, NOVEMBER 7, 2002: On a motion by Mr. Dunn, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to reinstate Condition #22 and add Condition #43. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with staff analysis. It believed the permit should expire in six years, and added Condition #43 to address that issue.

Speakers:

Jason Baer from URS Corporation, the applicant, agreed with the conditions of the permit and to Planning Commission's request to add a condition that the permit shall expire six years.



SUP #2002-0089

11/07/02



STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

[Applicant refers to both the restaurant and the environmental company URS Corporation]

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #97-0057)
2. Seating inside the restaurant shall be provided for no more than 68 patrons. (P&Z) (SUP#2000-0067)
3. Outside dining facilities shall be provided for no more than 16 patrons as depicted on the attached plan. The applicant shall provide a landscaping plan for the planters for review and approval by the Director of Planning and Zoning. The applicant shall maintain the landscaping in good condition. (P&Z) (SUP#2000-0067)
4. No live entertainment shall be provided at the restaurant. (P&Z) (SUP #97-0057)
5. The hours of operation shall be limited to 11:00 AM to 10:00 PM, daily. The hours of operation for the outdoor dining area shall be limited to 11:00 AM to 9:00 PM daily. The outdoor dining area shall be cleared of all diners by 9:00 PM and the area cleaned and washed by 10:00 PM. (P&Z) (SUP#2000-0067)
6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)(SUP #97-0057)
7. On-premise sales of beer and wine shall be permitted. (CC) (SUP #98-0169)
8. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #97-0057)
9. Condition deleted. (SUP #98-0169)
10. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash or debris shall be allowed to accumulate on-site outside of those containers. The dumpster shall be screened to the satisfaction of the Director of Planning and Zoning. (P&Z) (PC) (SUP #98-0169)

11. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z)(SUP #97-0057)
12. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP #97-0057)
13. No amplified sound shall be audible at the property line. (P&Z) (SUP #97-0057)
14. The applicant shall require that its employees who drive to work use off-street parking. (P&Z) (SUP #98-0169)
15. One parking space shall be designated with signage and maintained for the delivery vehicle only. (P&Z) (SUP #97-0057)
16. Delivery service shall be allowed between 11:00 AM and 9:00 PM, daily. (P&Z) (SUP #97-0057)
17. Loading and unloading shall occur only during the restaurant's off-peak hours, and may not occur earlier than 7:00 AM or at night. (P&Z) (SUP #97-0057)
18. **CONDITION AMENDED BY STAFF:** The applicant shall control ~~cooking odors, and smoke from the property to~~ and any other air pollution from operations at the site and prevent them from ~~leaving the property or~~ becoming a nuisance to neighboring properties, as determined by ~~the Health Department~~ the Department of Transportation and Environmental Services. (T&ES) (~~Health~~) (SUP ~~#98-0169~~) (T&ES)
19. **CONDITION RETAINED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP#2000-0067)

20. **CONDITION DELETED BY STAFF:** The applicant shall attach a copy of the final released site plan to each building permit document application and be responsible for insuring that the building permit drawings are consistent and in compliance with the final released site plan prior to review and approval of the building permit by the Departments of Planning and Zoning and Transportation and Environmental Services. (P&Z) (SUP #97-0057) (P&Z)
21. The applicant shall construct a low screen wall, 36 inches in height, along the property line on South Washington Street, between the driveway entrance and the southwest corner and along the property line on Franklin Street, between the driveway and the northeast corner. The design of the wall shall be approved by the Board of Architectural Review. (P&Z) (SUP #97-0057)
22. **CONDITION REINSTATED BY PLANNING COMMISSION:** A "no left turn" sign shall be posted on the exiting side of the South Washington Street driveway. (P&Z) (SUP #97-0057) (PC)
23. **CONDITION DELETED BY STAFF:** Temporary structures for construction shall be permitted. The size and site design for such temporary structures, shall be subject to the approval of the Director of Planning and Zoning. (P&Z) (SUP #97-0057) (P&Z)
24. **CONDITION DELETED BY STAFF:** Screen all utility structures (except fire hydrants) from view from all public property and public right-of-ways to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP #97-0057) (P&Z)
25. **CONDITION DELETED BY STAFF:** Provide a profile of the proposed brick apron and show it as extending all the way to the property line. Also, show the bricks as running parallel with the street. (T&ES) (SUP #97-0057) (P&Z)
26. **CONDITION DELETED BY STAFF:** Remove the existing brick aprons all the way to the property line. (T&ES) (SUP #97-0057) (P&Z)
27. **CONDITION DELETED BY STAFF:** The City sewer map shows the 8-inch sanitary sewer as terminating in the vicinity of the southwesterly corner of the site. Determine the invert elevation of the existing sanitary sewer at this point and the manhole down sewer. (T&ES) (SUP #97-0057) (P&Z)

28. **CONDITION DELETED BY STAFF:** Show how the connection of the existing inlet at the southeasterly corner of the site to the storm sewer and the disposition of the 4-inch pipe. ~~(T&ES) (SUP #97-0057) (P&Z)~~
29. **CONDITION DELETED BY STAFF:** The applicant shall contact the Alexandria Police Department for a security survey and robbery awareness for all employees. ~~(Police Department) (SUP #97-0057) (P&Z)~~
30. **CONDITION DELETED BY STAFF:** Relocate the handicap parking space away from the trash dumpster and closer to the building. ~~(Police Department) (SUP #97-0057) (P&Z)~~
31. Trees by the trash dumpster shall be limbed up to a minimum of six feet. (Police Department) (SUP #97-0057)
32. Lighting in the parking lot to be to the satisfaction of the Director of Transportation and Environmental Services and Chief of Police. (Police Department) (SUP #97-0057)
33. **CONDITION DELETED BY STAFF:** The final site plan shall not be released and no construction activity shall take place until the following has been submitted and approved by the Directors of Health and Transportation and Environmental Services:
 - A) ~~A Site Characterization Report/Extent of Contamination Study detailing the location, the contaminants, and the estimated quantity of any contaminated soils and/or groundwater at or in the immediate vicinity of the proposed site.~~
 - B) ~~A Risk Assessment indicating any risks associated with the contamination.~~
 - C) ~~A Remediation Plan detailing how contaminated soils and/or groundwater will be dealt with, including plans to remediate utility corridors, "Clean" backfill shall be used to fill the utility corridors.~~
 - D) ~~A Health and Safety Plan indicating measures to be taken during any remediation and/or construction to minimize the potential risks to workers, the neighborhood and the environment. (Health Dept.) (SUP #97-0057) (P&Z)~~

34. **CONDITION DELETED BY STAFF:** ~~The developer shall make a cash contribution to the Housing Trust Fund in the amount of \$.50 per gross square foot, payable before receipt of the certificate of occupancy. (Office of Housing) (SUP #97-0057) (P&Z)~~
35. The applicant shall replace all dead, dying or missing landscaping as required by the approved landscaping plan and screen the transformer by September 17, 2000, to the satisfaction of the Director of Planning and Zoning. Thereafter the landscaping shall be maintained in good condition. (P&Z) (SUP#2000-0067)
36. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and a robbery awareness program for employees. (Police) (SUP#2000-0067)
37. **CONDITION ADDED BY STAFF:** The environmental remediation structure and equipment shall occupy no more than one parking space. (P&Z)
38. **CONDITION ADDED BY STAFF:** All waste/recovered products from the remediation system including, but not limited to, organic compounds shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
39. **CONDITION ADDED BY STAFF:** Noise abatement measures including, but not limited to, insulation, mufflers, vibration dampeners shall be used for remediation system so that noise levels at the property line will not exceed maximum permissible noise levels per the City of Alexandria's Noise Control Code, Title 11, Chapter 5. (T&ES)
40. **CONDITION ADDED BY STAFF:** Applicant shall copy all their correspondence regarding the remediation system with the Virginia Department of Environmental Quality to Transportation and Environmental Services, Division of Environmental Quality (DEQ). (T&ES)

41. **CONDITION ADDED BY STAFF:** Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
42. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, and shall discuss all special use permit provisions and requirements as part of that training. (P&Z)
43. **CONDITION ADDED BY PLANNING COMMISSION:** This special use permit shall expire six years from approval by City Council. (PC)

Staff Note:

In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

The environmental remediation structure requires approval by the Board of Architectural Review.

DISCUSSION:

1. The applicant, URS Corporation, with permission from Chicken Out Inc., requests special use permit approval for a parking reduction of one space to accommodate a temporary structure containing an environmental remediation system, at the restaurant located at 701 South Washington Street.
2. The subject property is one lot of record with 102 feet of frontage on South Washington Street, 119 feet of frontage on Franklin Street and a total lot area of 12,138 square feet. The site is developed with a single story brick building. Chicken Out restaurant currently occupies the building. Small commercial businesses occupy the intersection where Chicken Out is located including Sutton Place Gourmet and Blue Point Grill, Suburban Cleaners, and Christian Reading Room. To the south of the property are the Old Town Garden Condominiums. To the west of the property is a parking lot used by the adjacent residential uses. The property is located in the Old and Historic Alexandria District.
3. On June 14, 1997, Council approved Special Use Permit #97-0057, allowing the construction of the building and the operation of a restaurant with carry out and delivery service. On February 20, 1999, City Council granted Special Use Permit #98-0169 allowing on-premise sales of beer and wine. On June 17, 2000, City Council approved Special Use Permit #2000-0067 adding outdoor seating with a parking reduction to accommodate the outdoor seating.
4. This application is a request to reduce the parking by one space in order to allow the construction of a temporary structure to house environmental equipment to remediate soil and groundwater contamination. The remediation process is estimated to last approximately five years. The proposed structure and equipment are an integral part of the Virginia Department of Environmental Quality (VaDEQ) mandated and approved Corrective Action Plan (CAP) that was prepared for the subject property. No other changes to the special use permit are being proposed.
5. The structure is proposed to be constructed adjacent to the existing trash dumpster and will be constructed of similar masonry materials. The masonry facade will match te existing masonry structures at the property as close as reasonably possible. The footprint of the proposed structure will be approximately nine-feet wide by 16-feet deep, approximately the size of the parking space that will be utilized. The estimated height of the proposed structure is approximately 10 feet. The structure will be equipped with steel security doors and locks to keep pedestrians from entering the structure. The design of the structure will have to be reviewed and approved by the Board of Architectural Review.
6. The equipment in the structure will recover petroleum products including gasoline, diesel, and oil. The petroleum will be stored in an approved container and shipped, as needed, for off-site recovery or disposal.

7. Potential noise generated by the equipment within the structure will be attenuated to acceptable levels through the use of engineering controls such as insulation, mufflers, and vibration dampeners.
8. Minimal waste materials generated during routine maintenance activities such as trash, spent filters, and used air compressor oil will be transported off-site for recover, recycling or disposal. Maintenance and monitoring of the remediation system will be conducted two to four times each month mostly during morning hours between 7:00 a.m. and 11:00 a.m.
9. Zoning: The subject property is located in the CL/Commercial low zone.
10. Master Plan: The proposed use is consistent with the Old Town small area plan chapter of the Master Plan which designates the property for commercial use.

STAFF ANALYSIS:

Staff does not object to the proposed parking reduction of one space for the restaurant located at 701 South Washington Street. The environmental remediation is an important and necessary action to improve environmental quality. Although reducing parking is generally a concern, and although staff knows that the parking lot is generally full at peak times, staff has not received any complaints in regard to the current reduced parking situation. The reduced parking approved in 2000 was to accommodate the outdoor seating, which is seasonal. Staff does not find that the reduction of one additional space at the business for a five year period will cause a significant parking problem in the adjacent neighborhood.

Staff has included a condition requiring that the restaurant conduct employee training to inform employees of the SUP conditions. When City Council approved SUP2002-0008 for the nursing home facility at 900 Virginia Avenue, Council noted that the condition requiring employee training was a good one that should be incorporated into future cases where appropriate. In this case, staff feels it is appropriate because it is an existing use with new conditions that employees of the restaurant should be aware of and incorporate into normal business practice.

Finally, the proposed structure on the site requires approval by the Board of Architectural Review.

Staff recommends approval of this special use permit.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Valerie Peterson, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- R-1 All waste/recovered products from the remediation system including, but not limited to, organic compounds shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground.
- R-2 Noise abatement measures including, but not limited to, insulation, mufflers, vibration dampeners shall be used for remediation system so that noise levels at the property line will not exceed maximum permissible noise levels per the City of Alexandria's Noise Control Code, Title 11, Chapter 5.
- R-3 The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services.
- R-4 Applicant shall copy all their correspondence regarding remediation system with Virginia Department of Environmental Quality to T&ES Division of Environmental Quality (DEQ).
- R-5 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-6 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.

Code Enforcement:

- C-1 A construction permit is required for the proposed project.
- C-2 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.

Health Department:

- F-1 No comments

Police Department:

- F-1 No objections.

VP.
APPLICATION for SPECIAL USE PERMIT # 2002-0089

[must use black ink or type]

PROPERTY LOCATION: 701 SOUTH WASHINGTON ST., ALEXANDRIA, VA

TAX MAP REFERENCE: MAP 080.02 BLOCK 08 LOT 04 ZONE: CL

APPLICANT Name: URS CORPORATION

Address: 7101 WISCONSIN AVENUE SUITE 700, BETHESDA, MD 20814-

PROPERTY OWNER Name: RICHARD J. HINDIN (CHICKEN OUT, INC.)

Address: 15952 SHADY GROVE RD., GAITHERSBURG, MD 20877-1315

PROPOSED USE: NO CHANGE TO EXISTING USE OF PROPERTY. Propose

ADDITION OF ENVIRONMENTAL REMEDIATION SYSTEM FOR SOIL AND
GROUNDWATER CONTAMINATION. (PARKING REDUCTION OF 1 SPACE -
Restaurant "Chicken Out" → TEMPORARY

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

JASON BAER (AGENT - URS)
Print Name of Applicant or Agent


Signature

849 INTERNATIONAL DR., SUITE 320
Mailing/Street Address

(410) 859-5049 (410) 859-5202
Telephone # Fax #

LINTHICUM, MD 21090
City and State Zip Code

AUGUST 28, 2002
Date

===== DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY =====

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (check one) ☐ the Owner ☐ Contract Purchaser
☐ Lessee or ☒ Other: ENVIRONMENTAL CONSULTANT of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

URS CORPORATION IS A PUBLICLY OWNED CORPORATION LISTED ON THE
NEW YORK STOCK EXCHANGE AND THE PACIFIC EXCHANGE. INDIVIDUAL
STOCK HOLDERS AND THEIR OWNERSHIP PERCENTAGES ARE NOT
READILY AVAILABLE. FORM 10-K HAS BEEN FILED WITH THE
SECURITIES AND EXCHANGE COMMISSION (SEC).

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- ☐ Yes. Provide proof of current City business license
- ☒ No. The agent shall obtain a business license prior to filing application, if required by the City Code.
2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

Narrative Description

General

URS Corporation, on behalf of Group Environmental Management Company (GEM), a BP Affiliated Company, proposes the construction of a structure to house environmental remediation equipment at the subject property. The proposed structure is somewhat temporary, with the remediation project having an estimated lifecycle of approximately 5 years. The structure and the equipment that it will house are an integral part of the Virginia Department of Environmental Quality (VaDEQ) mandated and approved Corrective Action Plan (CAP) that was prepared for the subject property. The proposed structure will house equipment that will be used to remediate residual petroleum hydrocarbons found in the subsurface soil and groundwater at the subject property.

The proposed structure will be constructed adjoining the existing trash dumpster structure and will be constructed of similar masonry materials. The footprint of the proposed structure will be approximately 9-feet wide by 16-feet deep (the approximate dimensions of the existing parking space that will need to be utilized). The estimated height of the proposed structure is approximately 10-feet. The structure will be constructed of a masonry façade that will match the existing masonry structures at the property as close as reasonably possible. The roof of the proposed structure will be constructed of wood with asphalt shingles. The structure will be equipped with steel security doors and locks to keep pedestrians from entering the structure. All mechanical, electrical, and plumbing work within the structure will be completed according to local, state, and national standards.

Noise

The equipment contained within the proposed structure will generate some noise; however, the structure itself will help minimize the transmission of noise to surrounding properties. Excess noise will be attenuated to acceptable levels through the implementation of engineering controls such as insulation, mufflers, and vibration dampeners. Additionally, the existing landscaping and trees at the property will tend to act as a natural screen, helping to absorb and deflect noise, thereby minimizing potential impacts to surrounding properties.

Waste and Odors

Odors and potential air pollutants will be attenuated to Virginia regulatory standards through the use of granular activated carbon filtration units. Petroleum impacted water will be filtered and treated with granular activated carbon prior to discharge to the sanitary sewer system. Air and water samples will be collected on a monthly basis, in accordance with the appropriate discharge permits and the approved CAP, ensuring regulatory compliance.

In general, the standard operation of the equipment within the proposed structure will generate minimal waste. Waste materials generated during routine maintenance activities such as trash, spent filters, and used air compressor oil will be transported off-site for recovery / recycling / disposal, as appropriate. Recovered petroleum products will be stored on-site in an approved container and shipped off-site, as needed, for recovery / recycling / disposal.

Hours and Employees

All maintenance and monitoring of the proposed environmental remediation system will be conducted during morning hours (7AM to 11AM), to the maximum extent possible, in order to minimize any potential impacts to the existing business that is operated at the subject property. Routine maintenance and monitoring will be completed by one to two employees with one or two vehicles. It is estimated that maintenance and monitoring activities will be conducted approximately two to four times per month, during morning hours. Employee parking should not impact parking at the property, given the fact that work will generally be completed prior to the

existing business at the property opening.

Parking Impact

In order to construct the environmental remediation equipment enclosure, it will be necessary to utilize one parking space. The parking space located to the east of, and adjacent to, the trash dumpster structure is the most feasible location for the construction of the proposed structure. It is believed that the positive impact of the remediation project on the subject property outweigh any potential negative impacts arising from reduced parking. Employee parking should not impact parking at the property, given the fact that work will generally be completed prior to the existing business at the property opening.

USE CHARACTERISTICS

4. The proposed special use permit request is for: (check one)

☐ a new use requiring a special use permit,

☐ a development special use permit,

☐ an expansion or change to an existing use without a special use permit,

☐ expansion or change to an existing use with a special use permit,

☒ other. Please describe: INSTALLATION OF ENVIRONMENTAL REMEDIATION EQUIPMENT AT A PROPERTY WITH A CURRENT SPECIAL USE PERMIT

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

NOT APPLICABLE.

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

ONE TO TWO EMPLOYEES TO PERFORM MAINTENANCE OF EQUIPMENT
TWO TO FOUR TIMES PER MONTH. WORK TO BE PERFORMED IN
MORNING PRIOR TO OPENING OF EXISTING RESTAURANT.

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

MAINTENANCE WILL OCCUR
TWO TO FOUR TIMES PER
MONTH (IE, ONE DAY PER
WEEK OR ONE DAY EVERY
OTHER WEEK), TO BE
DETERMINED.

Hours:

GENERALLY MAINTENANCE WILL
BE SCHEDULED TO OCCUR
BETWEEN 7AM AND 11AM
ON THE PROPOSED DAYS.

7. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

NOISE GENERATED BY EQUIPMENT WITHIN THE ENCLOSURE
WILL BE ATTENUATED TO ACCEPTABLE LEVELS THROUGH THE
USE OF ENGINEERING CONTROLS SUCH AS INSULATION,
MUFFLERS, VIBRATION DAMPENERS, ETC.

B. How will the noise from patrons be controlled?

NOT APPLICABLE.

8. Describe any potential odors emanating from the proposed use and plans to control them:

ODORS AND AIR POLLUTANTS WILL BE ATTENUATED, THROUGH
THE USE OF ACTIVATED CARBON, TO STATE OF VIRGINIA
STANDARDS. POTENTIAL ODORS COULD INCLUDE PETROLEUM.

9. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

NOT APPLICABLE.

B. How much trash and garbage will be generated by the use?

NOT APPLICABLE.

C. How often will trash be collected?

NOT APPLICABLE.

D. How will you prevent littering on the property, streets and nearby properties?

NOT APPLICABLE.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

NOT APPLICABLE.

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☒ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

THE EQUIPMENT WILL RECOVER PETROLEUM PRODUCTS (GASOLINE, DIESEL, OIL).
THE PETROLEUM WILL BE STORED IN AN APPROVED CONTAINER
AND SHIPPED, AS NEEDED, FOR OFF-SITE RECOVERY/DISPOSAL.

12. What methods are proposed to ensure the safety of residents, employees and patrons?

ALL RECOVERED PETROLEUM PRODUCTS WILL BE STORED IN A
GROUND AND VENTED CONTAINER APPROVED FOR THE STORAGE
OF PETROLEUM PRODUCTS.

ALCOHOL SALES

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

☐ Yes. ☒ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

NOT APPLICABLE.

PARKING AND ACCESS REQUIREMENTS

14. Please provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

NOT APPLICABLE. NO PARKING REQUIRED.

- B. How many parking spaces of each type are provided for the proposed use:

N/A Standard spaces

N/A Compact spaces

N/A Handicapped accessible spaces.

N/A Other.

- C. Where is required parking located? ☒ on-site ☐ off-site (check one)

If the required parking will be located off-site, where will it be located:

NOT APPLICABLE.

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? NOT APPLICABLE.

- B. How many loading spaces are available for the use? NOT APPLICABLE.

- C. Where are off-street loading facilities located? NOT APPLICABLE.

- D. During what hours of the day do you expect loading/unloading operations to occur?

ALL MAINTENANCE WILL BE CONDUCTED DURING MORNING HOURS
(7-11AM) WHEN PARKING IS NOT AN ISSUE AT THE SUBJECT
PROPERTY.

- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

EQUIPMENT MAINTENANCE WILL OCCUR TWO TO FOUR TIMES
PER MONTH, WITH ALL WORK BEING PERFORMED AT THE
TIMES DESCRIBED ABOVE.

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

NO. NOT APPLICABLE.

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☐ Yes ☒ No

Do you propose to construct an addition to the building? ☐ Yes ☒ No

How large will the addition be? N/A square feet.

18. What will the total area occupied by the proposed use be?

N/A sq. ft. (existing) + 144 sq. ft. (addition if any) = 144 sq. ft. (total)

19. The proposed use is located in: (check one)

☐ a stand alone building ☐ a house located in a residential zone ☐ a warehouse

☐ a shopping center. Please provide name of the center: _____

☐ an office building. Please provide name of the building: _____

☒ other, please describe: A STORAGE STRUCTURE THAT WILL BE
BUILT AS AN ADDITION TO THE TRASH
DUMPSTER STORAGE STRUCTURE.

PARKING REDUCTION SUPPLEMENTAL APPLICATION

Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).

1. Describe the requested parking reduction. (e.g. number of spaces, stacked parking, size, off-site location)

WE REQUEST REDUCTION OF EXISTING NUMBER OF
PARKING SPACES BY ONE SPACE IN ORDER TO
CONSTRUCT AN ENCLOSURE FOR OUR ENVIRONMENTAL
REMEDIATION EQUIPMENT

2. Provide a statement of justification for the proposed parking reduction. THE PROPOSED

STRUCTURE IS AN INTEGRAL PART OF THE APPROVED CORRECTIVE
ACTION PLAN (CAP), THAT WAS PREPARED IN RESPONSE TO A
VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY DIRECTIVE
TO ADDRESS PETROLEUM HYDROCARBON IMPACT TO
THE SUBSURFACE OF THE SUBJECT PROPERTY.

3. Why is it not feasible to provide the required parking? THE PARKING SPACE

ADJACENT TO THE TRASH DUMPSTER STRUCTURE IS THE
ONLY FEASIBLE ON-SITE LOCATION FOR THE CONSTRUCTION
OF THE PROPOSED REMEDIATION EQUIPMENT ENCLOSURE.

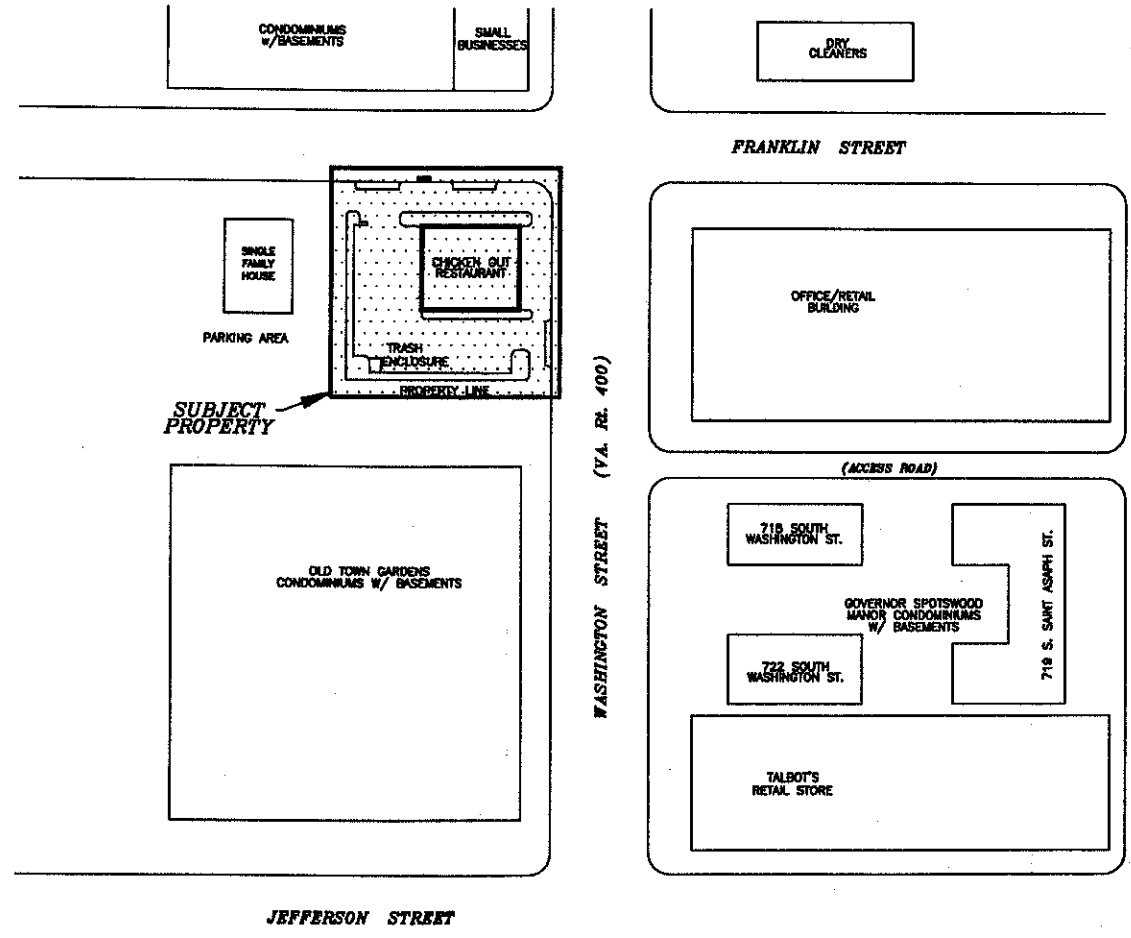
4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces? ☒ Yes. ☐ No. BY ONE SPACE.

5. If the requested reduction is for more than five parking spaces, the applicant must submit a Parking Management Plan which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood. POTENTIAL IMPACTS TO THE
SUBJECT PROPERTY AND SURROUNDING PROPERTIES, FROM
PETROLEUM HYDROCARBONS, OUTWEIGHS ANY POTENTIAL
IMPACTS FROM THIS MINOR REDUCTION IN ON-SITE
PARKING.

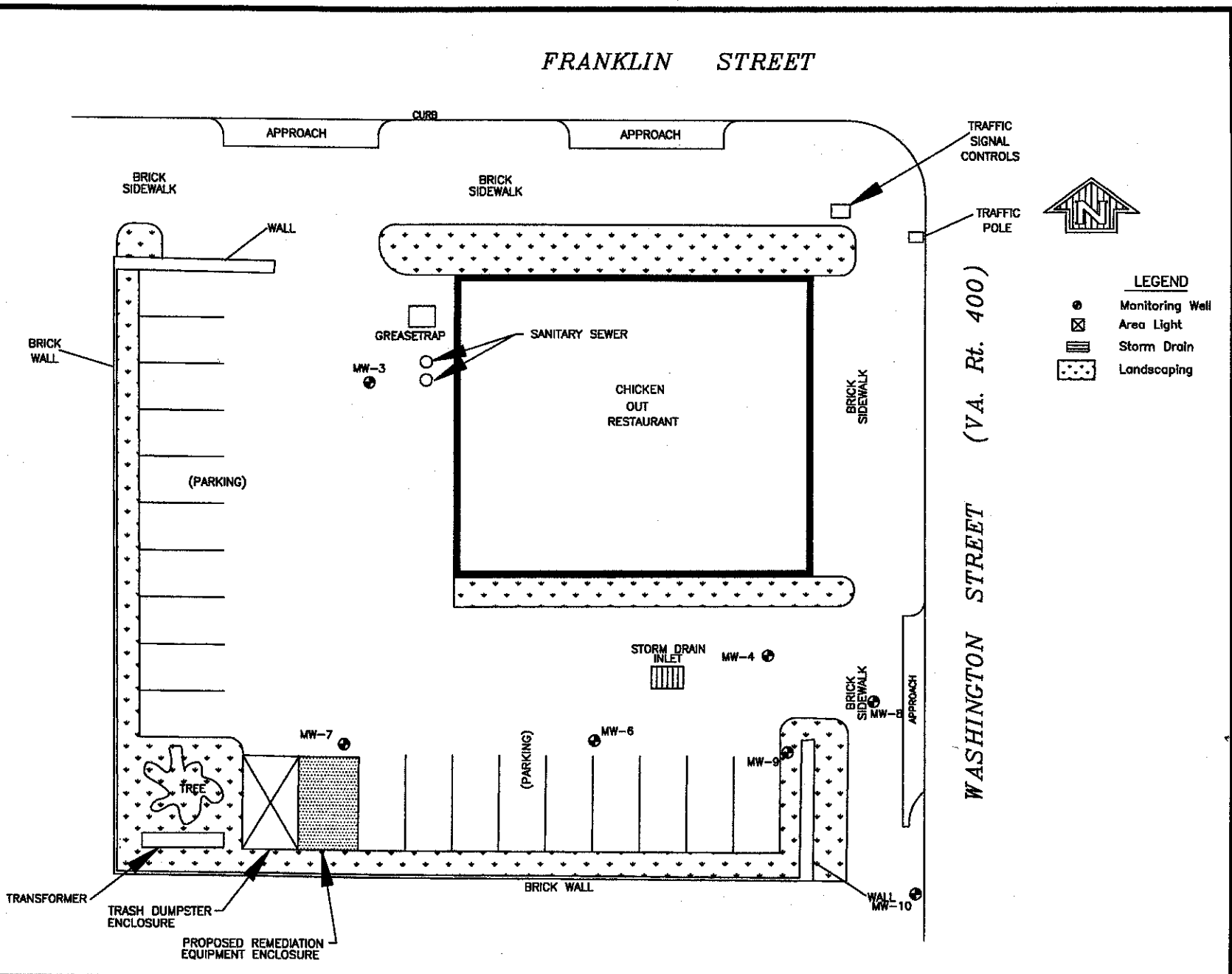
p:\zoning\pc-app\96-new\parking 7/96

Sup 2002 - 0089



PREPARED BY: URS 849 INTERNATIONAL DRIVE, SUITE 300 LINTHICUM, MD. 21086 PHONE: (410) 855-5049		CLIENT: Former Amoco Station #1198 701 S. Washington Street ALEXANDRIA, VIRGINIA	
REV. 0	JOB NO. 38445B49.00446	DATE: 8/28/02	FIGURE 1 AREA MAP
SCALE 0 100 FT 300 FT	DESIGN: JB	DRAWN: pjh	
	CHECKED: JB	SHEET: 1 of 1	

Sup 2002-0089



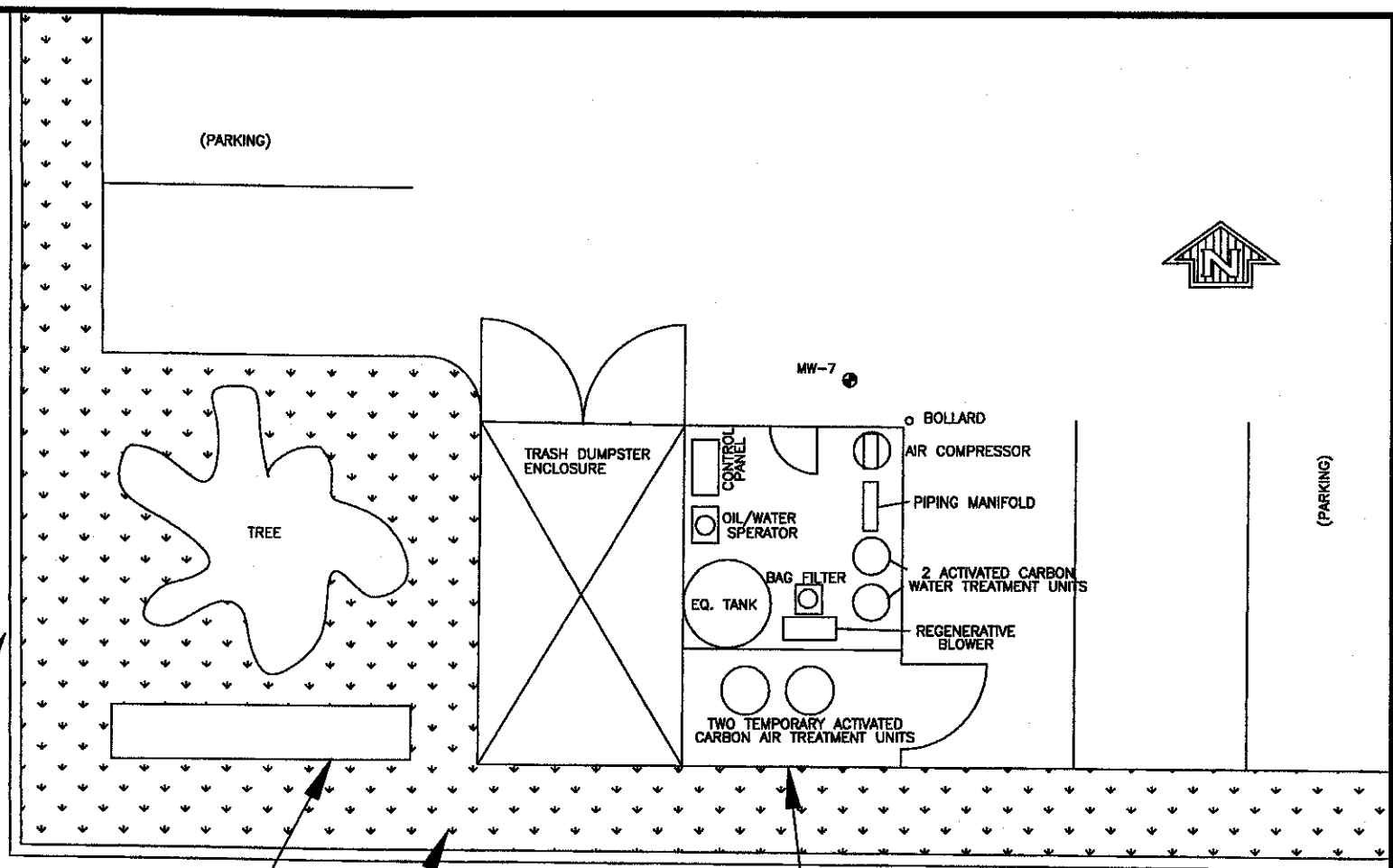
PREPARED BY:
URS
 848 INTERNATIONAL DRIVE, SUITE 300
 LINCOLN, NE 68502
 PHONE: (410) 583-5048

CLIENT:
 Former Amoco
 Station #198
 701 S. Washington Street
 ALEXANDRIA, VIRGINIA

REV.	0	DATE: 8/28/02
JOB NO.	384438-00446	DESIGN: JB
SCALE:	1" = 30 FT	DRAWN: pdh
		CHECKED: JB
		SHEET: 1 of 1

FIGURE 2
 PROPOSED SITE PLAN

Sup 2002-0089



NOTE: REMEDIATION EQUIPMENT ENCLOSURE FLOORPLAN
SUBJECT TO CHANGE BASED ON REFINED DESIGN. FOOTPRINT
TO REMAIN THE SAME.

PREPARED BY: URS 848 INTERNATIONAL DRIVE, SUITE 300 LITTLE ROCK, AR 72205 PHONE: (512) 558-0048		CLIENT: Former Amoco Station #198 701 S. Washington Street ALEXANDRIA, VIRGINIA	
REV. 0 JOB NO. 384458-000445	DATE: 8/28/02 DESIGN: JB	FIGURE 3 PROPOSED REMEDIATION EQUIPMENT ENCLOSURE FLOOR PLAN	
SCALE: 0 4 FT 8 FT	CHECKED: JB SHEET: 1 of 1		

PREPARED BY:

URS

URS INTERNATIONAL CORP., SUITE 220
LUTHERVILLE, MD 21093
PHONE: (410) 858-5049

CLIENT:

Former Amoco
Station #198
701 S. Washington Street
ALEXANDRIA, VIRGINIA

REV.

0

JOB NO. 38445849.00446

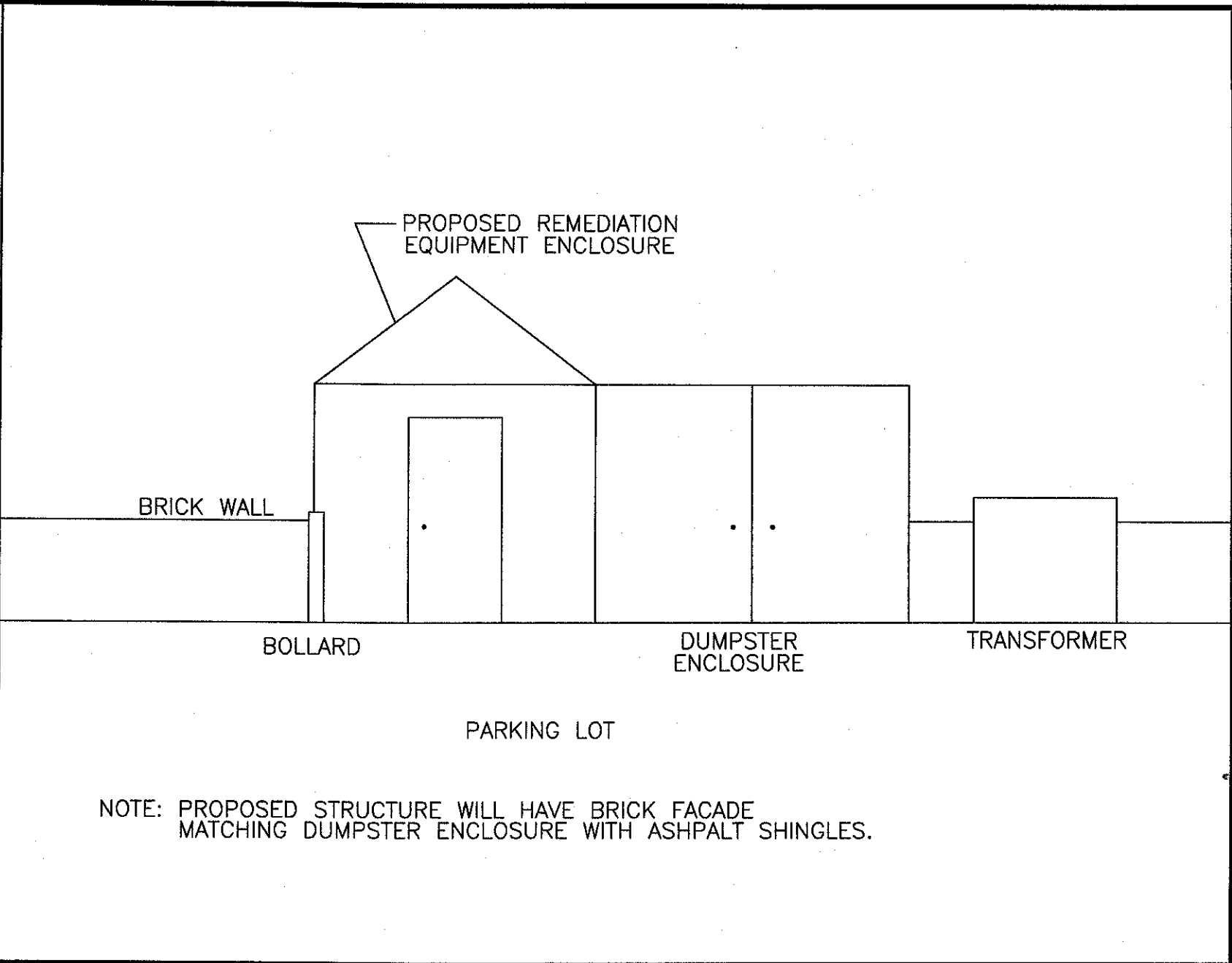
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4 FT

DATE: 8/28/02

DESIGN: JB

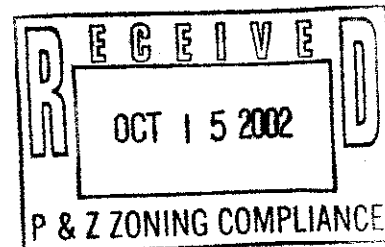
DRAWN: pdh
CHECKED: JB
SHEET: 1 of 1

FIGURE 4
PROPOSED REMEDIATION
EQUIPMENT ENCLOSURE
ELEVATION VIEW



SUP 2002-0089

October 11, 2002

**VIA FACSIMILE:** 703-838-6393

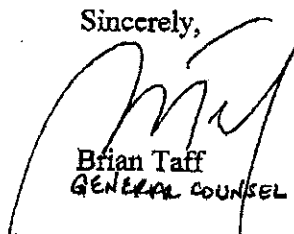
Ms. Valerie Peterson
Urban Planner
City of Alexandria, Dept. of Planning & Zoning
City Hall
301 King Street, Room 2100
Alexandria, Virginia 22313

Re: 701 South Washington Street, Alexandria, Virginia (the "Property")

Chicken-Out, Inc. (formerly the owner of the Property), H-REV Old Town, LLC (the current owner of the Property) and C-O Old Town, LLC (the tenant at the Property), hereby authorize URS Corporation (URS) as an agent of Group Environmental Management Company (GEM), a BP Affiliated Company, to obtain all necessary permits and variances for the completion of the Proposed Environmental Remediation Project for the former Amoco Station #198 at 701 South Washington Street, Alexandria, Virginia, for the purpose of installing, operating and maintaining an environmental remediation system in accordance with the attached specifications (including reducing the parking by one space to complete the above referenced project) all in accordance with the Virginia Department of Environmental Quality approved Corrective Action Plan, and further authorizes URS to amend the existing Special Use Permit to reflect only the information contained herein.

Should you have any questions or require additional information on this matter, please contact me at 301-921-0600 x224.

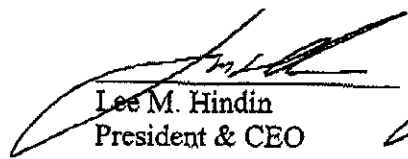
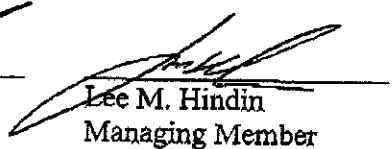
Sincerely,


Brian Taff
GENERAL COUNSEL**Acknowledged:**

Chicken-Out, Inc.

H-REV Old Town, LLC

C-O Old Town, LLC


Lee M. Hindin
President & CEO
Lee M. Hindin
Managing Member
Lee M. Hindin
President

VP
APPLICATION for SPECIAL USE PERMIT # 2002-0089 3

[must use black ink or type]

PROPERTY LOCATION: 701 SOUTH WASHINGTON ST., ALEXANDRIA, VA

TAX MAP REFERENCE: MAP 080.02 BLOCK 08 LOT 04 ZONE: CL

APPLICANT Name: URS CORPORATION

Address: 7101 WISCONSIN AVENUE SUITE 700, BETHESDA, MD 20814-45

PROPERTY OWNER Name: RICHARD J. HINDIN (CHICKEN OUT, INC.)

Address: 15952 SHADY GROVE RD., GAITHERSBURG, MD 20877-1315

PROPOSED USE: NO CHANGE TO EXISTING USE OF PROPERTY. PROPOSE


ADDITION OF ENVIRONMENTAL REMEDIATION SYSTEM FOR SOIL AND
GROUNDWATER CONTAMINATION. (PARKING REDUCTION OF 1 SPACE -
Restaurant "Chicken Out" → TEMPORARY)

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

JASON BAER (AGENT - URS)
Print Name of Applicant or Agent


Signature
(410) 859-5049 (410) 859-5202
Telephone # Fax #

849 INTERNATIONAL DR., SUITE 320
Mailing/Street Address

LINTHICUM, MD 21090
City and State Zip Code

AUGUST 28, 2002
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: 11/07/02 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 11/16/02PH--CC approved the Planning Commission recommendation.